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SILICON VALLEY IP GROUP
P O BOX 721120
SAN JOSE, CA 95172-1120

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OFFICE OF PETITIONS

In re Application of :
Charles L. Vigue et al :
Application No. 09/921,543 : DECISION GRANTING PETITION
Filed: August 2, 2001 : UNDER 37 CFR 1.137(f)
Attorney Docket No. NETAP008 :

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile transmission on May 12, 2003, which is being treated as a petition under 37 CFR 1.137(f) to revive the instant nonprovisional application.

The petition is DISMISSED.

Any request for reconsideration of this decision must be filed within TWO MONTHS from the mail date of this decision. Extensions of time are available pursuant to the provisions of 37 CFR 1.136(a).

Petitioner states that the instant nonprovisional application is the subject of an application filed in a foreign country "on or slightly before the one-year-anniversary of the U.S. filing date" of this application.

A petition under 37 CFR 1.137(f) must be accompanied by:

- (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) the petition fee as set forth in 37 CFR 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The petition fails to comply with item (1) above. More specifically, while notification has been given of the foreign filing, the petition fails to state the date of such foreign filing. Accordingly, the date of foreign filing must be supplied in order to grant the revival of the instant application.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Crystal Plaza Four, Suite 3C23
2201 South Clark Place
Arlington, VA 22202

By Fax: (703) 308-6916
ATTN: Office of Petitions

Pursuant to petitioner's authorization, Deposit Account No.50-1217 was charged \$1300.00 for the petition to revive an unintentionally abandoned application under 37 CFR 1.137(f).

Any questions concerning this matter may be directed to Wan Laymon at (703) 306-5685.



Frances Hicks
Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy